

REMARKS / DISCUSSION OF ISSUES

Claims 1 – 28 are pending in the application. Claims 1, 11 and 18 are independent.

In the present response, the claims 1, 11 and 18 are amended. The support for the claim amendment may be found, for example, in Applicants' specification, page 4, lines 16 – 18. No new matter is added.

35 U.S.C. 102

The Office Action rejects claims 1 – 7 and 11 – 25 under 35 U.S.C. 102(e) over Lundkvist (US-2003/0184431).

Applicants submit that for at least the following reasons, claims 1 – 7 and 11 – 25 are patentable over Lundkvist.

For example, claim 1, in part, requires:

"communicating a first response from the target node to the source node, immediately after the query is received and before the query is processed at the target node." (Emphasis added)

In the Office Action, page 2, the Office argued that Lundkvist, paragraph 32, teaches the receiving a first signal X from the source node, the target node decrypts the encrypted signal, then encrypts a first signal Y1 and immediately sends the first encrypted signal Y1 to the source node. It is also apparent from Lundkvist, Fig. 2, that the signal Y1 is sent after the signal X is decrypted. Clearly, in Lundkvist, the response is sent after the query is processed. In contrast, the claimed invention requires that the response is sent before the query is processed. Therefore, Lundkvist fails to disclose the claimed feature: *communicating a first response from the target node to the source node, immediately after the query is received and before the query is processed at the target node.*

In view of at least the foregoing, Applicants submit that claim 1 is patentable over Lundkvist.

Applicants submit that claims 11 and 18 are also patentable over Lundkvist because they contain many similar distinguishing features as in claim 1.

For example, claim 11 requires:

"a communication device that is configured to receive a query from a source node and to transmit a first response that facilitates proximity verification of the node, to the source node immediately upon receipt of the query and before the query is processed." (Emphasis added)

Similarly, claim 18 requires:

"a communication device that is configured to transmit a query to a target node and to receive an immediate first response before the query is processed and a second response from the target node." (Emphasis added)

Applicants essentially repeat the above arguments for claim 1 and apply them to claims 11 and 18 pointing out why Lundkvist fails to disclose the features: a communication device that is configured to receive a query from a source node and to transmit a first response that facilitates proximity verification of the node, to the source node immediately upon receipt of the query and before the query is processed, as claimed in claim 11, or the feature: a communication device that is configured to transmit a query to a target node and to receive an immediate first response before the query is processed and a second response from the target node, as claimed in claim 18. Therefore, claims 11 and 18 are also patentable over Lundkvist.

Claims 2 – 7, 12 – 17 and 19 – 25 are patentable because at least they respectively depend from claims 1, 11 and 18, with each claim containing further distinguishing features. Withdrawal of the rejection of claims 1 – 7 and 11 – 25 under 35 U.S.C. §102(b) is respectfully requested.

35 U.S.C. 103

Under 35 U.S.C. 103(a) the Office Action rejects claims 8 – 10 and 26 – 28 over Lundkvist, and further in view of Davis et al. (US-6,088,450), hereinafter Davis.

Applicants submit that Davis fails to cure the defects pointed out above with respect to Lundkvist because Davis does not disclose sending an immediate response to a query. Therefore, claims 8 – 10 and 26 – 28 are patentable because at least they respectively depend from claims 1 and 18, with each claim containing further distinguishing features. Withdrawal of the rejection of claims 8 – 10 and 26 – 28 under 35 U.S.C. §103(a) is respectfully requested.

Conclusion

In view of the foregoing, Applicants respectfully request that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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